

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil No. WMN-02-754
	:	
JOHN RACHEL, et. al.	:	
	:	
Defendants	:	

...oOo...

**PLAINTIFF'S MOTION TO BAR
REFERENCE TO TREBLE DAMAGES AND PENALTIES BEFORE THE JURY**

The United States of America, by and through undersigned counsel, Rod J. Rosenstein, United States Attorney for the District of Maryland, and Jamie M. Bennett and Michael A. DiPietro, Assistant United States Attorneys for said District, respectfully moves the Court, pursuant to Federal Rules of Evidence 402 and 403 to exclude from trial of this case any reference to the legal consequences under the False Claims Act ("FCA"), 31 U.S.C. 3729 et. seq., that the Court will treble damages awarded by the jury and will award civil penalties of \$5,000 to \$10,000 for each FCA violation found by the jury. This information also would confuse the issues, mislead the jury, waste

time and be more prejudicial than probative.

Respectfully submitted,

Rod J. Rosenstein
United States Attorney

/s/

Jamie M. Bennett
Assistant United States Attorney
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